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Bord  
Pleanála

## Inspector's Report ABP-314524-22

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<b>Development</b>	Attic conversion for storage with raised gable to the side and Velux window to the side. Dormer window to the rear.
<b>Location</b>	160 The Rectory, Kilgobbin, Co. Dublin
<b>Planning Authority</b>	Dun Laoghaire Rathdown County Council
<b>Planning Authority Reg. Ref.</b>	D22B/0150
<b>Applicant(s)</b>	Chris Madden
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Chris Madden
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	20/02/2023
<b>Inspector</b>	Lorraine Dockery

## 1.0 Site Location and Description

- 1.1. The subject site, which has a stated area of 234 square metres, contains a two-storey, semi-detached dwelling within a development known as The Rectory.

## 2.0 Proposed Development

- 2.1. Permission is sought for attic conversion for storage with raised gable to the side and Velux window to the side, together with dormer window to the rear.

## 3.0 Planning Authority Decision

### 3.1. Decision

Permission GRANTED subject to 4 no. conditions

#### Condition No. 2

Prior to the commencement of development, the Applicant shall submit revised drawings that detail the following;

- (a) Removal of the side Dutch gable addition and replace with traditional dormer window in accordance with Section 12.3.7.1(iv) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028.
- (b) The rear dormer window amended as required to accommodate the alteration of the side Dutch gable addition with a side dormer window

Reason: In the interests of orderly development

Further Information was requested by the planning authority in relation to proposed Dutch gable and width of proposed rear dormer extension.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The main points of the planner's report include:

- Recommends grant of permission, similar to that which issued from the planning authority

### 3.2.2. Other Technical Reports

Drainage Planning: No objections

## 3.3 Prescribed Bodies

None

## 4.0 Planning History

None

## 5.0 Policy and Context

### 5.1 Development Plan

The Dun Laoghaire County Development Plan 2022-2028 is the operative County Development Plan.

Zoning: Objective A' which seeks 'to provide residential development and improve residential amenity while protecting the existing residential amenities'.

Section 12.3.7.1(iv) Alterations at Roof/Attic Level

### 5.2 Natural Heritage Designations

The appeal site is not located in or immediately adjacent to a designated European Site, a Natural Heritage Area (NHA) or a proposed NHA.

### 5.3 EIA Screening

Having regard to the nature and scale of the development proposed, the site location within an established built-up urban area which is served by public infrastructure and outside of any protected site or heritage designation, the nature of the receiving environment and the existing pattern of residential development in the vicinity, and the separation distance from the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The

need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **6 The Appeal**

### **6.1 Grounds of Appeal**

The main points of the appeal are:

- Appeal against Condition No. 2
- Outlines need for additional space; no objections from third parties
- Visual impact not significant; number of similar Dutch gables in vicinity; no issues of overlooking
- Change from Dutch gable to that conditioned will result in 30% less floorspace
- Complies with national and local policy

### **6.2 Planning Authority Response**

A response was received which states that the grounds of appeal do not raise any new matter which in the opinion of the planning authority would justify a change of attitude to the proposed development.

### **6.3 Observations**

None

### **6.4 Further Responses**

None

## **7 Assessment**

7.1 I have read all the documentation attached to this file including inter alia, the appeal and the report of the Planning Authority, in addition to having visited the site.

- 7.2 This is an appeal against Condition No. 2 only of the decision to grant permission of Register Reference D22B/0150, which issued from the planning authority on 09<sup>th</sup> August 2022. In this regard, I consider it is appropriate that the appeal should be confined to Condition No. 2 only and I am satisfied that the determination by the Board of this application as if it had been made to it in the first instance would not be warranted and that it would be appropriate to use the provisions of Section 139 of the 2000 Act in this case.
- 7.3 **Condition No. 2** (as detailed above), in summary, relates to the removal of the side Dutch gable addition and its replacement with a traditional dormer window, with amendments to the rear dormer window as required to accommodate the side dormer window
- 7.4 The primary issues, as I consider them, are the impact on the visual amenity of the area arising from the proposed works.
- 7.5 The operative County Development Plan 2022-2028 is generally favourable to such extensions, subject to normal planning criteria and I note section 12.3.7.1(iv) in this regard.
- 7.6 In terms of visual amenity, I do not have issue with the extent or scale of the proposed development and I consider that the proposed works would integrate satisfactorily with the existing dwelling and other properties in the vicinity. Condition No. 2 substantially alters the design and usability of the space proposed. I consider that any impacts on the visual amenities of the area are not so great as to warrant the imposition of Condition No. 2. or other alteration to the design submitted. Details relating to materials could be adequately dealt with by means of condition.
- 7.7 I do not anticipate the proposed works to result in significant impacts on the residential amenity of the area. While I note that there are no similar type alterations within this development, examples are noted within the wider area.
- 7.8 Having regard to the above, I am satisfied that the proposed development is in accordance with the provisions of the operative County Development Plan, is in keeping with the pattern of development in the area and is in accordance with the proper planning and sustainable development of the area.

## **8 Appropriate Assessment Screening**

- 8.1 Having regard to the nature and scale of the proposed development, the location of the site within an adequately serviced urban area, the physical separation distances to designated European Sites, and the absence of an ecological and/ or a hydrological connection, the potential of likely significant effects on European Sites arising from the proposed development, alone or in combination effects, can be reasonably excluded.

## **9 Recommendation**

- 9.1 Having regard to the nature of the condition the subject of the appeal and based on the reasons and considerations set out below, I am satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and recommend that the said Council be directed under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND Condition No. 2 so that it shall be as follows for the reason and considerations set out.

## **10 Reasons and Considerations**

Having regard to the zoning objective of the area, the design, layout and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed alterations to Condition No. 2 attached to the grant of permission under planning register reference number D22B/0150 would not seriously injure visual amenities, established character or appearance of the area and would, otherwise, be in accordance with the proper planning and sustainable development of the area.

## 11 Conditions

1.	<p>The development shall be in accordance with Condition No.s 1 – 4 attached to the grant of permission under P. A. Reg. Ref: D22B/0150 on 09th August, 2022, except as may otherwise be required in order to comply with the following conditions.</p> <p><b>Reason:</b> In the interest of clarity</p>
2.	<p>Condition No. 2 attached to the grant of permission under P. A. Reg. Ref. D22B/0150 on 09th August, 2022 shall be amended as follows:</p> <p>Details of the materials, colours and textures of all the external finishes to the proposed Dutch gable and rear dormer shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual and residential amenity.</p>

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Lorraine Dockery  
Senior Planning Inspector

20<sup>th</sup> February 2023